

## MEMORANDUM

Agenda Item No. 7(A)

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**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

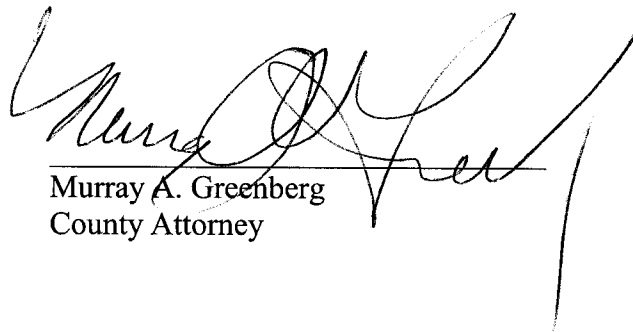
**DATE:** March 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Ordinance amending Section  
2-1421 of the Code relating to the  
CITT hiring and removing its own  
Executive Director

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The accompanying ordinance was prepared and placed on the agenda at the request of Commissioner Sally A. Heyman.



Murray A. Greenberg  
County Attorney

MAG/jls

# Memorandum



**Date:** March 20, 2007

**To:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**From:** George M. Borges  
County Manager

**Subject:** Ordinance amending Section 2-1421 of the Code relating to the CITT hiring and removing its own Executive Director

The ordinance amending Section 2-1421 of the Code of Miami-Dade County allowing the Citizens' Independent Transportation Trust (CITT) to hire and remove the CITT Executive Director will not have a fiscal impact.

  
\_\_\_\_\_  
Alex Munoz  
Assistant County Manager

fiscal00207



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Bruno A. Barreiro  
and Members, Board of County Commissioners

**DATE:** March 20, 2007

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 7(A)

Please note any items checked.

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**"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

**6 weeks required between first reading and second reading  
(per Ordinance No. 02-117)**

☐

**4 weeks notification to municipal officials required prior to public  
hearing**

☐

**Decreases revenues or increases expenditures without balancing budget**

☐

**Budget required**

☐

**Statement of fiscal impact required**

☐

**Bid waiver requiring County Manager's written recommendation**

☐

**Ordinance creating a new board requires detailed County Manager's  
report for public hearing**

☐

**Housekeeping item (no policy decision required)**

☐

**No committee review**

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 7 (A)  
3-20-07

ORDINANCE NO. \_\_\_\_\_

ORDINANCE AMENDING SECTION 2-1421 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA TO BETTER REFLECT THE TERMS OF THE BALLOT LANGUAGE PRESENTED TO THE VOTERS AND TO AUTHORIZE THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST TO HIRE AND TO REMOVE ITS OWN EXECUTIVE DIRECTOR; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**WHEREAS**, on November 5, 2002, the voters of Miami-Dade County approved the imposition of a ½ percent sales surtax to improve transit and transportation; and

**WHEREAS**, the ballot language indicated that surtax proceeds would be overseen by the Citizens' Independent Transportation Trust ("Trust"); and

**WHEREAS**, the Trust's very name suggests its own independence; and

**WHEREAS**, in order to be truly independent, the Trust needs the authority to hire its own Executive Director,

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 2-1421 of the Code of Miami-Dade County, Florida, is hereby amended as follows:<sup>1</sup>

**Sec. 2-1421. Citizens' Independent Transportation Trust created; powers over expenditure and use of proceeds of proposed Charter County Transit System Surtax.**

\* \* \*

(h) *Staff support.* The ~~[[County Manager and the]]~~ County Attorney shall ~~[[provide]]~~ >>serve as legal counsel<< to the Trust ~~[[adequate staff and support services to enable the Trust to carry out its duties and~~

<sup>1</sup> Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged

responsibilities]]. >>The Trust may by a two thirds (2/3) vote of its membership hire an Executive Director. The Executive Director shall provide to the Trust adequate staff and support services to enable the Trust to carry out its duties and responsibilities. The Executive Director is authorized to hire and/or remove staff in order to provide adequate support for the Trust. The Executive Director may be removed by a two thirds (2/3) vote of the Trust members present.<<

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Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. The provisions of this amendment shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

Section 5. This Ordinance may only be amended or repealed by a two-thirds vote of the Board. Any amendment or repeal of this Ordinance shall further require a minimum of six (6) weeks between first and second reading.

PASSED AND ADOPTED:

Approved by County Attorney as  
to form and legal sufficiency:

LMC

Prepared by:  
Bruce Libhaber

BZ

Sponsored by Commissioner Sally A. Heyman

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